

REMARKS

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **Claim 1** relates to a silicone rubber graft copolymer with core-shell structure, comprising: having

at least one core comprising:

a) an organosilicon polymer represented by the following formula



where wherein x = from 0 to 99.5 mol%, y = from 0.5 to 100 mol%, z = from 0 to 50 mol%,

where wherein R means represents identical or different alkyl or alkenyl radicals having from 1 to 6 carbon atoms, aryl radicals, or substituted hydrocarbon radicals, and also

at least one shell c) comprising an organic polymer, prepared by a process which comprises

preparing the organic shell c) by free-radical polymerization of monomers at a temperature of not higher than 65°C and

adding an initiator in at least two portions to a reaction vessel, a further addition taking place at least 2 minutes after the start of the polymerization.

Mautner et al it was noted that they do not disclose or suggest preparing the organic shell c) by free-radical polymerization of monomers at a temperature of not higher than 65°C and adding an initiator in at least two portions to a reaction vessel, a further addition taking place at least 2 minutes after the start of the polymerization. Due to the specific process, a **specific structure is obtained which has different and superior properties** as shown by the Examples in the specification. For example, the IZOD strength is superior at 23°C and -20°C as shown at page 28, Table 1, of the specification. In Comparative Example 1, the

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temperature of the reactor was set at 80°C (outside the claim scope) and not at not higher than 65°C as claimed. The IZOD strength is only 3.77 (23°C)/3.02 (-20°C) compared to 5.25 (23°C)/4.18 (-20°C) and 5.6 (23°C)/5.0 (-20°C) in the examples according to the present invention.

In polymers, a difference in properties is a result of a difference in structure. Since the properties of the claimed silicone rubber graft copolymer are different the structure is different.

Therefore, the rejection of Claims 1-16, 18-20 and 23-25 under 35 U.S.C. § 102(b) as anticipated by Mautner et al, the rejection of Claim 17 under 35 U.S.C. § 103(a) over Mautner et al in view of Ando, the rejection of Claim 21 under 35 U.S.C. § 103(a) over Mautner et al, the rejection of Claim 22 under 35 U.S.C. § 103(a) over Mautner et al in view of Lau, are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of these rejections is respectfully requested.

The objection to Claims 16, 17 and 22 and the rejection of Claims 4 and 13-14 under 35 U.S.C. § 112, 2nd paragraph, is obviated by the amendment of the claims.

The objection to the Declaration is traversed. On the Declaration, the number of the German priority document should be "102 36 240.8." However, Applicants note that the Application Data Sheet is correct. This should be sufficient to take care of this matter and the objection should be withdrawn.

The provisional double-patenting rejection over Serial No. 10/502,057 should be withdrawn once it is the only remaining rejection in the case. See MPEP 822.01.

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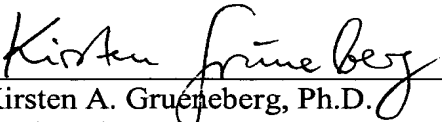
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This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

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